

109TH CONGRESS
1ST SESSION

S. 524

To strengthen the consequences of the fraudulent use of United States or
foreign passports and other immigration documents.

IN THE SENATE OF THE UNITED STATES

MARCH 3, 2005

Mrs. FEINSTEIN (for herself and Mr. SESSIONS) introduced the following bill;
which was read twice and referred to the Committee on the Judiciary

A BILL

To strengthen the consequences of the fraudulent use of
United States or foreign passports and other immigration
documents.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. FRAUDULENT USE OF PASSPORTS.**

4 (a) CRIMINAL CODE.—

5 (1) SECRETARY OF HOMELAND SECURITY.—

6 Section 1546 of title 18, United States Code, is
7 amended by striking “the Commissioner of the Im-
8 migration and Naturalization Service” each place it
9 appears and inserting “the Secretary of Homeland
10 Security”.

1 (2) DEFINITION OF PASSPORT.—Chapter 75 of
 2 title 18, United States Code, is amended by adding
 3 at the end the following:

4 **“§ 1548. Definition**

5 “In sections 1543 and 1544, the term ‘passport’
 6 means any passport issued by the United States or any
 7 foreign country.”.

8 (3) CLERICAL AMENDMENT.—The table of sec-
 9 tions for chapter 75 of title 18, United States Code,
 10 is amended by adding at the end the following:

“Sec. 1548. Definition.”.

11 (b) IMMIGRATION AND NATIONALITY ACT.—Section
 12 101(a)(43)(P) of the Immigration and Nationality Act (8
 13 U.S.C. 1101(a)(43)(P)) is amended to read as follows:

14 “(P) except for a first offense for which an
 15 alien affirmatively shows was committed solely
 16 for the purpose of assisting, abetting, or aiding
 17 only the alien’s spouse, child, or parent to vio-
 18 late a provision of this Act—

19 “(i) an offense described in section
 20 1542, 1543, or 1544 of title 18, United
 21 States Code (relating to false statements in
 22 the application, forgery, or misuse of a
 23 passport);

24 “(ii) an offense described in section
 25 1546(a) of title 18, United States Code,

1 relating to document fraud used as evi-
2 dence of authorized stay or employment in
3 the United States for which the term of
4 imprisonment is at least 12 months; or

5 “(iii) any other offense described in
6 section 1546(a) of title 18, United States
7 Code, relating to entry into the United
8 States, regardless of the term of imprison-
9 ment imposed.”.

10 **SEC. 2. RELEASE AND DETENTION PRIOR TO DISPOSITION.**

11 Section 3142(f)(1) of title 18, United States Code,
12 is amended—

13 (1) in subparagraph (C), by striking “or” after
14 the semicolon; and

15 (2) by adding at the end the following:

16 “(E) an offense under section 1542, 1543,
17 1544, or 1546(a) of this title; or”.

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